

09/682, 422

PTO/98-30 (08-04)

Under the Patent and Trademark Act of 1996, no person is required to respond to a collection of information unless it contains a valid OMB control number.

**Request  
for  
Continued Examination (RCE)  
Transmittal**

**Address to:**  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

<u>Application Number</u>	109/682,422
<u>Filing Date</u>	August 31, 2001
<u>First Named Inventor</u>	John Joseph DiEnzo
<u>Art Unit</u>	3637
<u>Examiner Name</u>	Hansen, James Orville
<u>Attorney Docket Number</u>	SD-DW-19633

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 6, 1995, or to any design application. See Instruction Sheet for RCEs that is to be submitted to the USPTO<sup>®</sup> on case 2.

**1.** **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unauthorized amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unauthorized amendment(s) entered, applicant must request non-entry of such amendment(s).

a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

I.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
 II.  Other \_\_\_\_\_

b.  Enclosed

I.  Amendment/Reply  
 II.  Affidavit(s)/Declaration(s)

III.  Information Disclosure Statement (IDS)  
 IV.  Other \_\_\_\_\_

**2.** **Miscellaneous**

b.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)  
 Other \_\_\_\_\_

**3.** **Fees**

a.  The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.  
 The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-2384. I have enclosed a duplicate copy of this sheet.

I.  RCE fee required under 37 CFR 1.17(e)  
 II.  Extension of time fee (37 CFR 1.106 and 1.17)  
 III.  Other \_\_\_\_\_

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTQ-202B.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature	Thomas M. Fisher	Date	December 7, 2004
Name (Print/Type)		Registration No.	47,584

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is, being dispatched with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Trademarks, P. O. Box 6000, Alexandria, VA 22313-1460 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print Type) Thomas M. Fisher Date December 2, 2004  
This document contains neither recommendations nor conclusions of the USPTO. It is the property of the USPTO and is loaned to you; it and its contents are not to be distributed outside your organization.

to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 72 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments or the amount of time you estimate to process this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and

**DO NOT SEND FEES OR COMPLETED FORMS TO THESE ADDRESSES. SEND TO: U.S. Patent and Trademark Office, Communications for Petitions, P.O. Box 1650, Alexandria, VA 22313-1650.**

If you need assistance in completing the form, call 1-800-PTO-0199 and select option 2.

01/13/2005 Thomas M. Fisher 4-000-00000000 Date December 2, 2004  
The process of obtaining a trademark by 37 CFR 2.164. The burden is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.11 and 1.14. This application is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments or questions about the burden of time required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1650, Alexandria, VA 22313-1650. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: USPTO Help Desk, Communications for Petitions, P.O. Box 1650, Alexandria, VA 22313-1650.  
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PAGE 2/3 \* RCVD AT 12/7/2004 5:08:39 PM [Eastern Standard Time] \* 8VRCUSPTO-EFXRF-16 \* DMS:3729306 : CSID:3146215065 \* DURATION (mm:ss):01:52:00